

**16/07
2026**

**AD/12/18
266312
NANDY**

(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/15734/2026

**KINGSUK GHOSH
VS
THE STATE OF WEST BENGAL & ORS.**

Mr. Goutam Kumar Das, Advocate
Mr. Sayan Datta, Advocate
Mr. Indranuj Dutta, Advocate

.....for the Petitioner

Mr. D.N. Ray, learned Government Pleader
Mr. Guddu Singh, Advocate
Mr. Sourav Halder, Advocate

.....for the State

Ms. Shraboni Sarkar, Advocate
Ms. Umme Habiba Khatun, Advocate

.....for the PCSWB

1. Affidavit of service as filed be kept with the record
2. The petitioner, pursuant to the advertisement issued by respondent no. 3, participated in the examination for recruitment as a Junior Engineer sometime in 2017 in the unreserved category.
3. The petitioner had appeared for the written exam as well as the personality test but was unsuccessful. The name of the petitioner did not feature in the merit list published on 01.10.2019. In fact, the last recommended candidate in the petitioner's category had obtained 151.33 marks. The petitioner had obtained 149.33, which was intimated to the petitioner after applications were made by him under the Right to Information Act, 2005, sometime in 2022.
4. The petitioner had thereafter made an application before the West Bengal Administrative Tribunal in 2022, which was disposed of on 02.04.2025, directing the authorities to re-evaluate the answer scripts of the petitioner.
5. Upon re-evaluation, the petitioner was informed by the Commission on 11.08.2025 that the petitioner's marks

had been increased from 149.33 to 160.00, and hence the petitioner was eligible for recommendation.

6. In spite of such finding, the petitioner has not been recommended. Hence, this writ-petition.
7. Ms. Sarkar, learned Advocate appearing for the Commission submits that the recommendation could not be given by the Commission as there was no direction in the order dated 02.04.2025 by the Tribunal directing the Commission to recommend the petitioner.
8. This is obvious, since the order directed the petitioner's answer-scripts to be re-evaluated and without knowing the result of the re-evaluation, the Tribunal could not have directed recommendation to be given to the petitioner by the Commission.
9. The ground shown by the Commission is rather lame.
10. The petitioner, according to the Commission's own finding in the letter of 11.08.2025, has obtained marks more than the last recommended candidate in his category and is thereby entitled to be recommended. There is absolutely no reason for the Commission to withhold the recommendation of the petitioner.
11. In view of the afore-stated, since the petitioner is entitled, I direct the Chairman, Public Service Commission, the respondent no. 3 herein, to immediately recommend the petitioner and take all necessary steps to ensure the appointment of the petitioner in a requisite vacant post.
12. The concerned Department of the Government of West Bengal is directed to immediately ensure that the petitioner is duly appointed to a requisite post as afore-stated.
13. This entire exercise by the respondent nos. 3 and 4 of recommending and appointing the petitioner, subject to vacancies, shall be completed by 15.08.2026.

14. With the afore-stated directions, the writ-petition is **disposed of**. No order as to costs.
15. Urgent Photostat Certified Copy of this order, be given to the parties, if applied for upon compliance of necessary formalities.

(Reetobroto Kumar Mitra, J.)